

15 October 2024

VE Estate Developments Pty Ltd

PO Box 228

Narellan NSW 2567

By email: haydn@vitoccoenterprises.com.au

Attention: Haydn Dayes

Dear Haydn

Letter of intent: Change in operations of the Resource Recovery Facility at 761 The Northern Road, Bringelly (Lot 11 DP 1218155) currently being operated by Greenlife Resource Recovery

As you are aware, VE Resource Recovery Pty Ltd is the licence-holder of the above facility. VE Land Holdings Pty Ltd is the owner of Lot 11 DP 1218155.

The purpose of this letter is to confirm our in-principle commitment to adjusting the operations of the Resource Recovery Facility to achieve certain odour outcomes on the land adjacent to the site, namely Lot 120 DP 1289677 and Lot 1 DP 1275807, The Northern Road Bringelly (**the development land**).

We are aware that you have lodged development application DA2023/632/1 for a staged integrated housing development subdivision and associated works (**the development application**).

We understand that if development consent is granted, there will be a condition that prevents the development from being carried out unless a certain odour outcome is achieved on the development land.

This odour outcome is as follows:

- Compliance with the current NSW EPA Impact Assessment Criteria. That is, odour concentrations at the boundary of the nearest residential receptor to be less than the criterion of 2 odour units, expressed as the 99th percentile value, as a nose response time average (approximately one second).

We note that, as per the report prepared by Northstar Air Quality dated 10/10/24 attached, this outcome can be achieved by the following changes to the operations of the Resource Recovery Facility:

- Cease composting operations at the site;
- Limit storage of fresh greenwaste to a footprint not exceeding 500 m2;
- Limit storage of finished compost product to a footprint no greater than 2,000 m2, and;
- Cover fresh greenwaste and finished compost stockpiles during non-operational hours.

VE Resource Recovery Pty Ltd and VE Land Holdings Pty Ltd confirms their intention to ensure the facility is operated in the manner outlined above either by a covenant on title benefiting the Council, or other measure as required to ensure satisfaction, subject to the negotiation of an appropriate commercial deed between VE Resource Recovery Pty Ltd, VE Land Holdings Pty Ltd and VE Estate Developments Pty Ltd, which will:

- include agreed compensation for VE Resource Recovery Pty Ltd and VE Land Holdings Pty Ltd;
- specify the timing of any changes, and;
- set out other reasonable protections for both parties.

VE Resource Recovery Pty Ltd and VE Land Holdings Pty Ltd is willing to negotiate, in good faith, to the above end.

For the avoidance of doubt, the letter does not establish any legally binding commitment. There will not be a legally binding commitment prior to the execution of a deed between all of the parties.

Sincerely,



Arnold Vitocco

Managing Director

VE Resource Recovery Pty Ltd and VE Land Holdings Pty Ltd